United Nations A/57/862–S/2003/873

General Assembly
Security Council

Distr.: General
10 September 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 36 and 160

Security Council
Fifty-eighth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 10 September 2003 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing following the two brutal Palestinian terrorist attacks perpetrated yesterday against the citizens of Israel.

Last night, 9 September 2003, at approximately 11.20 p.m. (local time), a suicide bomber perpetrated an attack at a popular café on Emek Refaim Street, the main thoroughfare of the German Colony neighbourhood in Jerusalem. The powerful explosion ripped through buildings in the area, killing at least seven civilians and wounding 40 others. The terrorist organization Hamas, which operates freely from Palestinian Authority territory, claimed responsibility for the attack and threatened further acts of murder against Israeli civilians.

Also yesterday evening, 9 September 2003, at approximately 6.00 p.m. (local time), a suicide bomber perpetrated an attack at a crowded bus depot near Rishon Letzion in Central Israel. At least seven citizens were killed and 30 were wounded, most of them seriously, when the bomber detonated an explosive device, setting off a powerful explosion in an area adjacent to the Assaf Harofeh Hospital. The bomb was packed with nails and shrapnel in order to maximize the pain and suffering of its victims. Hamas also claimed responsibility for this attack.

Today's attacks comes just over a week after Palestinian terrorists ambushed a car near Kochav Hashachar on 29 August 2003, killing a man and seriously injuring his pregnant wife. The family's car was on the Alon highway when gunmen opened fire at the vehicle, causing it to overturn. Murdered in the attack was Shalom Harmelech, 25, of Homesh. The Fatah Al Aqsa Martyrs Brigades loyal to Yasser Arafat's Fatah organization claimed responsibility for the attack.

Earlier in the month, on 19 August 2003, a suicide bomber perpetrated a brutal massacre on a crowded bus in downtown Jerusalem. Twenty-two people were killed and 135 wounded, many of whom were children, when the terrorist detonated a five-kilogram device packed with ball bearings. The bus was filled with orthodox Jewish

families who were returning from prayers at the Western Wall, and the terrorist himself dressed as an orthodox Jew in order to enter the bus undetected. Hamas claimed responsibility for the bombing. The bus attack was further preceded, on 12 August 2003, with a pair of near-simultaneous suicide attacks that killed two Israelis and wounded at least a dozen others.

The majority of these attacks occurred during a period when Palestinian terrorist groups had declared a so-called ceasefire (*hudna*), which in practice served as an opportunity for these groups to rearm, plan and perpetrate further attacks, while the official Palestinian leadership did nothing to prevent them despite its clear legal and moral obligations. Israel's steps to fulfill its commitments, including the withdrawal of forces, the dismantling of unauthorized outposts, the easing of travel restrictions and attempts to improve humanitarian and economic conditions, have been met with total inaction by the Palestinian side and pathetic justifications of the continuing terrorist attacks — attacks which have compelled Israel to continue defensive counter-terrorist operations.

As this most recent and brutal wave of terrorism indicates, the brazen refusal of the Palestinian Authority to take the strategic decision to dismantle terrorist organizations, which it has defiantly declared to be "not an option at all", continues to ravage the lives of innocent civilians and endanger our effort to build a new reality for the people of the region. It proves, once again, that there can be no tolerance or negotiation with vicious terrorist organizations whose declared aim is the destruction of Israel, and who prove this hateful objective by attempting to indiscriminately murder as many innocent civilians as possible.

At this critical juncture in the peace process, the new Palestinian leadership once again faces the strategic choice between continuing the path of terrorism and murder, which is sure to lead to more violence and bloodshed, and embarking upon the road to peace. Israel is reminded by every innocent drop of blood shed in this barbaric campaign of terrorism that no peace agreement can survive while terrorist organizations maintain their capacity to kill and maim. Either the Palestinian Authority will finally meet its duties to fight terrorism and be a partner in peace, or it will continue to ally itself with the network of global terrorists and their state sponsors, who have brought only despair and devastation to the globe.

Thus far, the Palestinian leadership, including its permanent observer in the United Nations, glorifies terrorists as martyrs and seeks condemnation of the defensive response to terrorism rather than the terrorism itself. Instead of engaging in shameful moral equivalence between the deliberate murder of innocent civilians and the defensive measures taken to protect them, the Palestinian leadership must take its share of responsibility for the blood shed in the region and for rejecting, time and again, the opportunity for peace and mutual compromise.

Israel expects the new Palestinian leadership to put an absolute end to terrorism by working to fulfill their obligations, in accordance with Security Council resolutions, international law and signed agreements. The fulfillment of these obligations requires at least five concrete Palestinian actions: (1) completely dismantling terrorist networks, (2) preventing terrorist attacks, (3) confiscating and destroying illegal weapons, (4) bringing terrorists to genuine justice, and (5) ending incitement in the media, in mosques and in schools.

In the light of the continuing rejection by the Palestinian leadership of its obligations to dismantle terrorist organizations, Israel is compelled to take the necessary measures to defend its citizens, in accordance with its right and duty of self-defense. In so doing, Israel will make every effort to minimize harm to innocent civilians despite the criminal and immoral tactics of Palestinian terrorists, who not only deliberately target the innocent but also gravely endanger Palestinian civilians by hiding among them in grave violation of the most fundamental principles of international humanitarian law. The responsibility for civilian casualties lies first and foremost with those terrorist organizations that callously use Palestinian civilians as human shields in pursuing a morally bankrupt and criminal campaign. In addition, this responsibility rests with the Palestinian leadership that allows the terrorists to operate with impunity and whose pro-terrorism position is what has forced Israel to take defensive measures.

Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics, to accept nothing less than the complete dismantling of terrorist organizations, and to use its authority to compel all regimes that sponsor terrorism in the region to fulfill their responsibilities in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001). The Palestinian leadership must understand that the international community will not tolerate its continuing failure to meet its counter-terrorism obligations, and will never countenance the establishment of a Palestinian state built on the basis of terrorism and the rejection of the rights of others to live in peace and security in the region.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism that began in September 2000, which document the criminal terrorist activity for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-seventh session of the General Assembly, under agenda items 160 and 36. I am submitting an identical letter to the President of the Security Council for circulation as a Security Council document.

(*Signed*) Dan **Gillerman**
Permanent Representative